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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,495	07/28/2000	David White	210147.0039/16U1	3801

570 7590 12/18/2001

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
ONE COMMERCE SQUARE
2005 MARKET STREET, SUITE 2200
PHILADELPHIA, PA 19103

EXAMINER

JOHANNSEN, DIANA B

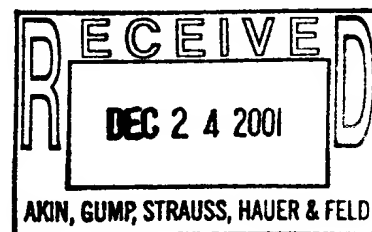
ART UNIT

PAPER NUMBER

1655

DATE MAILED: 12/18/2001

Please find below and/or attached an Office communication concerning this application or proceeding.



GDC


DEC 24 2001

DEADLINE: 1/18/02

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 
- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
 - ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
 - ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
 - ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
 - ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
 - ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
 - ☒ 7. Other: Incomplete Sequence Listing.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

Art Unit: 1655

The communication filed January 17, 2001 is not fully responsive to the Office communication mailed December 18, 2000 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Particularly, it is noted that an amino acid sequence identified in the description of Figure 5 as being "SEQ ID NO:1" is not in fact identical to SEQ ID NO:1. Accordingly, applicant must provide a new Sequence Listing that includes the amino acid sequence set forth in Figure 5, or alternatively, if applicable, describe the amino acid sequence of Figure 5 by reference to, e.g., portions of SEQ ID NOs already set forth in the Sequence Listing. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the above-mentioned reply appears to be a *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diana Johannsen whose telephone number is (703)305-0761. The examiner can normally be reached on Monday-Friday from 7:00 a.m. to 3:30 p.m.

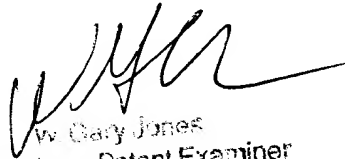
Art Unit: 1655

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones, can be reached at (703) 308-1152. The fax phone number for the Technology Center where this application or proceeding is assigned is (703) 305-3014 or 305-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Diana Johannsen

December 17, 2001


W. Gary Jones
Supervisory Patent Examiner
Technology Center 1600

1655
Box 801
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.



Date: December 27, 2001

PATENT
BOX SEQUENCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of David White	: Group Art Unit 1655 : : Examiner: : Diana Johannsen
Appln. No.:	09/628,495	: : Confirmation No. 3801
Filed:	July 28, 2000	: :
For:	COMPOSITIONS, KITS, AND METHODS FOR PROGNOSTICATION, DIAGNOSIS PREVENTION, AND TREATMENT OF BONE-RELATED DISORDERS AND OTHER DISORDERS	: Attorney Docket : No. 210147.0039/16U1 : (MPI99-130P1R1)

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TECH CENTER 1600/2800

COMMUNICATION

In response to the Office Communication dated December 18, 2001 (Paper No. 8) in this application, a replacement sequence listing is being submitted with this Communication. The sequence listing has been altered so that SEQ ID NOs: 1, 3, and 5 correspond to the sequences shown in Figure 1, as filed. SEQ ID NO: 1 is also shown in Figure 5A-5I, as filed.

Paper and electronic copies of the replacement sequence listing, a Statement to Support Filing, and a copy of the Notice to Comply are enclosed.

Replacement of the Sequence Listing and examination of the application on the merits are requested at the earliest possible time.

Respectfully submitted,

DAVID WHITE

27 December 2011

(Date)

By: 

GARY D. COLBY, Ph.D., J.D.

Registration No. 40,961

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

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Enclosures

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON THE DATE INDICATED BELOW.

BY: Cindy Chickara

Date: December 27, 2001



PATENT
BOX SEQUENCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Patent Application of	:	Group Art Unit 1655
	David White	:	
		:	Examiner:
Appln. No.:	09/628,495	:	Diana Johannsen
		:	
Filed:	July 28, 2000	:	Confirmation No. 3801
		:	
For:	COMPOSITIONS, KITS, AND METHODS :		
	FOR PROGNOSTICATION, DIAGNOSIS :		
	PREVENTION, AND TREATMENT OF :		Attorney Docket
	BONE-RELATED DISORDERS AND :		No. 210147.0039/16U1
	OTHER DISORDERS	:	(MPI99-130P1R1)

RECEIVED
MAR 06 2002
TECH CENTER 1600-2900

STATEMENT TO SUPPORT FILING AND SUBMISSION
IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825

- (X) I hereby state, in accordance with the requirements of **37 C.F.R. §1.821(f)**, that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with **37 C.F.R. §1.821(c)** and **(e)**, respectively are the same.
- (X) I hereby state that the amendments, made in accordance with **37 C.F.R. §1.825(a)**, included in the initial/substitute sheet(s) of the Sequence Listing are supported in the application, as filed, in Figure 1. I hereby state that the substitute sheets(s) of the Sequence Listing does(do) not include new matter.

(X) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 C.F.R. §1.825(b)**, is the same as the amended Sequence Listing.

Respectfully submitted,

DAVID WHITE

27 December 2001

(Date)

By: 

GARY D. COLBY, Ph.D., J.D.

Registration No. 40,961

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Enclosures